

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
February 24, 2004

Mayor Dirksen called the meeting to order at 6:30 p.m.

All Council members present: Mayor Dirksen, Councilors Moore, Sherwood and Wilson.
Also present: Councilor-select Woodruff

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:31 p.m. pursuant to ORS 192.600 (1)(e) to discuss a real property transaction.

Out of Executive Session at 6:48 p.m.

- STUDY SESSION

- > PRESENTATION OF 2003 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND DISCUSSION OF NEW GOVERNMENTAL ACCOUNT STANDARD

Finance Director Prosser, Financial Operations Manager Imdieke, and Senior Accountant Dawes were present to review the Financial Report and the new Governmental Account Standard. Senior Accountant Dawes reviewed the major changes in the financial report.

- > PRELIMINARY REVIEW - COMMUNITY GRANT APPLICATIONS

Finance Director Prosser reviewed the Community Event Grant Requests. Requests were received for grants to Atfalati Recreation, Broadway Rose, City of Tigard Dog Park, Festival of Balloons, Tigard Blast, Tigard 4th of July, Tigard High Graduation Ceremony, Tualatin Riverkeepers, and the Tualatin Valley Community Band. The total dollar amount for all grants is under the target amount set aside for community events. After discussion, Council consensus was to forward the applications as presented to the Budget Committee for review.

- > UPDATE ON THE NEW LIBRARY

Library Director Barnes and Project Manager Bahlman advised Council of the status of the new library construction, which remains on schedule and within budget. Amenities to the community room have been possible because of good experience for cost containment during construction. In addition, because the project is coming in under budget, subtle items, such as carpeting upgrade, have been possible. A

preliminary report on library furnishings will be presented to Council on March 9. New library tour for Council will be March 13. About 16 requests for proposals were mailed to potential coffee bar vendors.

Library Director Barnes commented briefly on the importance of the WCCLS funding and the upcoming May levy. (See report during business meeting, Agenda Item No. 7) If the library building is done ahead of schedule, the opening of the new library might be delayed if the WCCLS levy fails.

> ADMINISTRATIVE ITEMS

The following items were reviewed with Council by City Manager Monahan. (Note some of these items were reviewed after the business meeting).

- a. Reviewed revised agenda:
 - Executive Session added on real property transaction (material sent in 2/20 newsletter)
 - Item 8 – Street Maintenance Fee
 - Item 10 – Resolution opposing formation of Electric People's Utility District
 - Item 11 -- Continue Discussion from 2/17 on Capital Improvement Program, Burnham Street
 - Discuss Metro Survey: Physical Attributes of a Community's Sense of Place
 - Consider Resolution opposing formation of Electric People's Utility District
 - Continue Discussion from 2/17 on Capital Improvement Program, Burnham Street
- b. Coffee Talk for February 26 has been cancelled.
- c. Distributed City Council Telephone Information
- d. Distributed Revised Tax Rate Table from Finance Director Craig Prosser
- e. Discussed membership on the Planned Development Committee (Resolution No. 04-08); Council consensus was that the Engineering/Developer representative could reside outside the City of Tigard.
- f. Distributed Information on the Resource Cities Program
- g. Discussed Joint Meeting with TTSD and City of Tualatin – April 5 – 6:30 p.m.,
Tualatin Police Facility, 8650 Tualatin Road
 - Update on Construction Activity
 - Update on Visioning Program in City of Tualatin
 - Gang Activity Report
- h. Discussed Training Date on Land Use with Planning Commission. Consensus was to schedule this training on March 15 at 7 p.m.
- i. MPAC Nomination – Councilor Wilson's name was offered for nomination to MPAC as the alternate member. Hillsboro, as the County's largest City, will

be sending out ballots to fill this position. Tigard staff has a call in to Hillsboro staff to check on the status.

j. Calendar Review

- March 3 – Coffee Talk – 7 p.m. (Jeanine Hill, 13746 SW 159th Terrace)
- March 9 – Council Business Meeting – 6:30 p.m.
- March 13 – New Library Tour – 9 a.m. – Meet in the Tigard Christian Church Parking Lot
- March 15, 7 p.m. – Land Use Training with the Planning Commission
- March 16 – Council Workshop Meeting – 6:30 p.m.
- March 23 – Council Business Meeting – 6:30 p.m.
- April 5 – Joint Meeting with TTSD and City of Tualatin City Council – 6:30 p.m.

Study Session recessed at 7:26 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the City Council & Local Contract Review Board to order at 7:32 p.m.
- 1.2 Roll Call: Mayor Dirksen; Councilors Moore, Sherwood, Wilson, and Woodruff
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. CONSIDER A RESOLUTION APPOINTING THOMAS WOODRUFF AS TIGARD CITY COUNCILOR FROM FEBRUARY 24, 2004 THROUGH DECEMBER 31, 2004

The Mayor and Councilors thanked the eight excellent candidates who had applied to serve on the Council.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 04-09.

RESOLUTION NO. 04-09 – A RESOLUTION APPOINTING THOMAS WOODRUFF AS CITY COUNCILOR OF THE CITY OF TIGARD TO SERVE FROM FEBRUARY 24, 2004, UNTIL DECEMBER 31, 2004, TO COMPLETE THE UNEXPIRED TERM OF FORMER COUNCILOR CRAIG E. DIRKSEN

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes

Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes

Councilor Woodruff expressed appreciation to the Mayor and Council members for exhibiting their trust in him by selecting him to serve on the City Council.

3. ADMINISTER OF THE OATH OF OFFICE TO THOMAS WOODRUFF FOR THE POSITION OF TIGARD CITY COUNCILOR

Mayor Dirksen administered the oath of office to Councilor Woodruff.

4. VISITOR'S AGENDA

Bob Rohlf, 12430 SW North Dakota, Tigard, noted he was one of the applicants for the vacant Council position. Mr. Rohlf complimented the Tigard City Council on the process used and said he was pleased that eight people had "stepped up."

5. CONSENT AGENDA: Motion by Councilor Sherwood, seconded by Councilor Wilson, to approve the Consent Agenda as follows:

- 5.1 Authorize the City Manager to Sign an Intergovernmental Agreement for Mutual Aid, Mutual Assistance, and Interagency Cooperation among Law Enforcement Agencies
- 5.2 Authorize the Mayor to Sign an Intergovernmental Agreement, which Sets Forth the Shared Local Match of the Construction Costs and Maintenance of the Tualatin River Bicycle and Pedestrian Bridge
- 5.3 Appoint Katherine Meads to the Planning Commission - Resolution No. 04-10
- 5.4 Local Contract Review Board:
 - a. Award the Contract for the Construction of the Fiber Optic Cable for the New Library to North Sky Communications, Inc.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

6. UPDATE ON THE YOUTH ADVISORY COUNCIL

Youth Advisory Council President Lindsey Boyce and Youth Advisory Council (YAC) members and officers (Rob Williams, Paul Iford, Afina Neunzert, and Jennie Chan) presented a report to the Council informing of the YAC's vision and mission statements, bylaws, committees/subcommittees and past and current events. Councilor Wilson asked that new member recruitment include students who live in Tigard and are in the Beaverton School District.

After discussion, Mayor Dirksen made a motion that the City Council formally recognize the Youth Advisory Council and recognize Lindsey Boyce as the President of the Youth Advisory Council and identify that the President of the Youth Advisory Council serve as an ex-officio member of the City Council to sit with the City Council during Council meetings and participate in Council discussions.

Councilor Woodruff seconded the motion. The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

The YAC meets on the third Wednesday of the month and the Council was invited to attend these meetings. Adult volunteers to the YAC also present at the Council meeting were Connie Raemakers and Shelly Richards.

7. UPDATE ON THE PROPOSED LOCAL OPTION LEVY FOR WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES (WCCLS)

Library Director Barnes presented the staff report and a PowerPoint slide presentation providing information about the levy. Washington County libraries are experiencing a significant increase in use. The Washington County Commissioners authorized placement of a five-year levy for library operations on the May 18 ballot after reviewing the projected needs for public library services in Washington County over the next five years. The fixed-rate levy would provide approximately 70 percent of operating funds for public libraries throughout Washington County.

(Council rearranged the order of the agenda. Agenda Item 10 was heard after Item No. 7)

8. **CONSIDER A RESOLUTION ESTABLISHING THE STREET MAINTENANCE FEE RATES**

City Engineer Gus Duenas presented the staff report and a PowerPoint slide presentation. Financial Operations Manager Imdieke was also present to note staff was working to have the street maintenance fee billing forms ready by April.

City Engineer Duenas responded to a concern by Councilor Sherwood that the fee rate be reviewed after the first year, with the rates to be offset (reduced) when funds are received from the State. City Engineer Duenas noted that a rate review will be done by Council after the first year. (On file with the City Recorder is a memo dated February 20, 2004, from City Engineer Duenas regarding the consideration of state revenue received through legislation in setting street maintenance fee rates.)

Motion by Councilor Sherwood, seconded by Councilor Woodruff, to adopt Resolution No. 04-12.

RESOLUTION NO. 04-12 – A RESOLUTION AMENDING RESOLUTION NO. 03-25 BY AMENDING EXHIBIT A THERETO TO ESTABLISH THE STREET MAINTENANCE FEE RATES IN ACCORDANCE WITH CITY OF TIGARD ORDINANCE NO. 03-10.

The motion was approved by a unanimous vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Yes

9. **LOCAL CONTRACT REVIEW BOARD (LCRB) PUBLIC HEARING – CONSIDER A RESOLUTION GRANTING AN EXEMPTION FROM COMPETITIVE SCREENING AND SELECTION PROCESS FOR DESIGN SERVICES ON THE 121ST AVENUE IMPROVEMENT PROJECT**

The public hearing was conducted. City Engineer Duenas presented the staff report and a PowerPoint slide presentation. There was no public testimony. There was brief LCRB discussion about the benefits of proceeding with the exemption (save costs and avoid delays).

Motion by LCRB Member Moore, seconded by LCRB Member Sherwood, to adopt LCRB Resolution No. 04-02.

LCRB RESOLUTION NO. 04-02 – A RESOLUTION GRANTING AN EXEMPTION FROM THE COMPETITIVE SCREENING AND SELECTION PROCESS FOR DESIGN SERVICES ON THE 121ST AVENUE IMPROVEMENT PROJECT

The motion was approved by a unanimous vote of Council present:

Chair Dirksen	-	Yes
Board Member Moore	-	Yes
Board Member Sherwood	-	Yes
Board Member Wilson	-	Yes
Board Member Woodruff	-	Yes

10. CONSIDERATION OF RESOLUTION OPPOSING THE FORMATION OF ELECTRIC PEOPLE'S UTILITY DISTRICTS (PUD's) IN THE STATE OF OREGON

Council was asked by PGE representative Judy Crafton to consider opposition to formation of Electric PUD's in Oregon. Councilor Wilson commented that it makes little sense to dismember a utility that is functioning well and fund a public takeover with uncertain consequences. Councilor Sherwood also noted the loss of resources if different facilities are "taken out." Councilor Moore advised that he would abstain from voting, advising that he has worked for PGE for the last 34 years.

Tigard residents Alice Ellis Gaut and William Iron requested that the Council delay consideration of the proposed resolution. Ms. Gaut said it was a "precipitous thing to being doing" at this point and requested additional time be allowed for public debate and for the Council to explain its position more fully. Mr. Iron noted this item was not shown on an earlier agenda and requested this item be postponed to a date certain to give the people of Tigard an opportunity to talk about this matter. Mr. Iron expressed concern that the proposed resolution was too broad.

After discussion, Council members noted that they have been reviewing this matter for some time. In response to the suggestion that the Council consider whether or not it opposes formation of a PUD for each area when it appears on a ballot, Councilor Wilson said the Council's position is not geographically based; rather, he said he was concerned about the unknown consequences of cutting up the system. Mayor Dirksen said the timing for consideration of the resolution is now because of upcoming elections on this issue in Yamhill and Clackamas Counties. Mayor Dirksen said he was not opposed to PUD's, which he thought were usually created to meet the needs for under-served areas; however, he could see no benefits for these proposed PUD's.

Councilor Woodruff said he would also abstain from voting as a new member of Council.

Motion by Councilor Wilson, seconded by Councilor Sherwood, to adopt Resolution No. 04-11.

RESOLUTION NO. 04-11 – A RESOLUTION OPPOSING THE FORMATION OF ELECTRIC PEOPLE’S UTILITY DISTRICTS IN THE STATE OF OREGON.

The motion was approved by a majority vote of Council present:

Mayor Dirksen	-	Yes
Councilor Moore	-	Abstained
Councilor Sherwood	-	Yes
Councilor Wilson	-	Yes
Councilor Woodruff	-	Abstained

(Street Maintenance Fees were considered after this item.)

11. DISCUSSION OF PROPOSED CAPITAL IMPROVEMENT PROJECTS FOR FISCAL YEAR 2004-05 AND DISCUSSION OF BURNHAM STREET (CONTINUED FROM THE COUNCIL WORKSHOP MEETING OF FEBRUARY 17, 2004)

City Engineer Duenas reviewed the staff report and the PowerPoint presentation, which was also presented to Council at its February 17 meeting.

Below are Council members’ comments on the proposed projects:

- Connect commuter rail parking to Burnham Street.
- Hold off on ornate street lights in the downtown area.
- Pleased to see shift in priorities in dealing with intersections.
- Encourage undergrounding of utilities (discussed how the utility shares costs with the City).
- Wait to do major items listed for the downtown until the study is completed, but continue to consider such items as curb outs, stop sign relocation, and portal signage.

Mr. Duenas reported that Oregon Department of Transportation representatives will be present at the Council’s March 16 Council meeting. ODOT representatives noted that a study referred to in a Council discussion during the February 17 workshop meeting, was not adopted. There is no funding available to assist in improving streets intersecting with state roads.

City Engineer Duenas presented information on Burnham Street. After Council discussion, consensus was to agree to a temporary resurface of Burnham Street and wait for major reconstruction until after the downtown study has been completed.

12. DISCUSS METRO SURVEY: PHYSICAL ATTRIBUTES OF A COMMUNITY'S SENSE OF PLACE

Council discussed this agenda item at length. Concerns were expressed about how the questions were presented within the survey, which seemed to be phrased so that only positive comments would be possible, with no places to comment about some of the negative consequences. Council talked of its concerns with the minimum density requirements, parking standards, transportation connectivity issues, suburban vs. urban lifestyles ("not everyone is interested in the Pearl District"), inadequate dollars to compete with developers to purchase greenspaces property, and the need for Metro's assistance to develop and redevelop. It was noted that Tigard has a "main" street – it's called "Main Street" and the Farmer's Market event should be added to the responses. Staff will share Council's comments with Planning Commission.

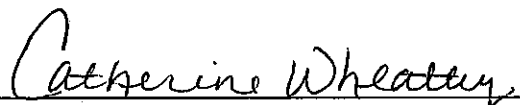
Alice Ellis Gaut noted she agreed with many of the Council's comments and to be candid with Metro. Ms. Gaut suggested that the survey be posted on the City's website. She said there are "district commercial centers in Tigard – all over everywhere." She said the only unique businesses are located in the downtown area, but the downtown lacked cohesiveness.

13. COUNCIL LIAISON REPORTS


14. NON AGENDA ITEMS

15. EXECUTIVE SESSION: None

16. ADJOURNMENT: 10:35 p.m.


Catherine Wheatley, City Recorder

Attest:


Mayor, City of Tigard

Date: March 23, 2004

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